

AMENDED IN SENATE APRIL 21, 2009

**SENATE BILL**

**No. 369**

**Introduced by Senator Maldonado**

**(Coauthors: Senators Correa and Negrete McLeod)**

**(Coauthors: Assembly Members Bill Berryhill, Gilmore, Jeffries, and Silva)**

February 25, 2009

An act to amend Section 1831 of the Military and Veterans Code, relating to the POW/MIA Flag.

LEGISLATIVE COUNSEL'S DIGEST

SB 369, as amended, Maldonado. Prisoner-of-War/Missing-in-Action Flag: state-owned buildings and facilities.

Existing law requires the flag of the National League of POW/MIA Families to be flown over specified state buildings where the United States flag and the California state flag currently fly on certain dates during business hours.

This bill would instead require the flag to be flown during business hours at all state-owned buildings and facilities where the United States flag and the California state flag currently fly.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1831 of the Military and Veterans Code
- 2 is amended to read:
- 3 1831. (a) So that the people of California will not forget the
- 4 sacrifices of those members of the United States Armed Forces

1 who, after the termination of hostilities, remain prisoners of war  
2 or are missing in action, as well as the sacrifices of missing United  
3 States nonmilitary personnel and civilians, the Governor shall  
4 annually proclaim the third Friday of September to be known as  
5 Prisoner-of-War/Missing-in-Action (POW/MIA) Recognition Day.

6 (b) The flag of the National League of POW/MIA Families  
7 (POW/MIA Flag) is a black and white banner symbolizing those  
8 members of the United States Armed Forces who are listed as  
9 ~~prisoners of war or missing in action~~ *POW or MIA*. The flag serves  
10 as a powerful reminder to people everywhere of our country's firm  
11 resolve to achieve the fullest possible accounting for every member  
12 of the United States Armed Forces, and United States nonmilitary  
13 personnel and civilians. To the extent it is structurally feasible, the  
14 flag shall be flown during business hours, at all state-owned  
15 buildings or facilities where the United States flag and the  
16 California state flag currently fly.

17 (c) The flag shall be flown at the Vietnam Veterans Memorial  
18 located on the grounds of the State Capitol whenever the United  
19 States flag is flown at that location.

20 (d) Additionally, the Governor and the Legislature are authorized  
21 and requested to issue proclamations calling upon the people,  
22 schools, and local governments of California to recognize  
23 POW/MIA Recognition Day with appropriate ceremonies and  
24 activities.